

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

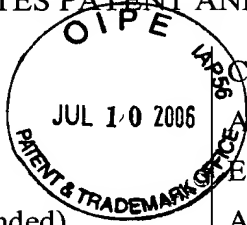
In re application of:

W. James Jackson

Appl. No.: 09/677,752

Filed: October 2, 2000 (as amended)

For: **Chlamydia Protein, Gene Sequence  
and Uses Thereof**



Confirmation No.: 5261

Art Unit: 1645

Examiner: Ford, Vanessa L.

Atty. Dkt: 2479.0050000/EJH/C-K

**Petition To Correct Filing Date and  
Request for Correction of Filing Receipt**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant petitions to correct filing date in the above-referenced application under 37 C.F.R. §1.10(c) from October 3, 2000 to *October 2, 2000*.

The return receipt postcard and Filing Receipt display the incorrect filing date of October 3, 2000 for the above-referenced application. Specifically on October 2, 2000, Applicant filed, via Express Mail Certificate No. EL 501 634 175 US, the following documents: the Application specification (87 pages); executed Declaration and Power of Attorney; Transmittal of Sequence Listing; Recordation Form Cover Sheet with executed Assignment; Transmittal of Verified Statement with executed Verified Statement for Antex Biologics, Inc.; patent application fee sheet; and Utility Patent Application Transmittal.

On December 29, 2000 promptly after Applicant received the Filing Receipt, Applicant filed a petition to correct filing date and request for correction of filing receipt to the United States Patent and Trademark Office ("USPTO"). However, the filing date has never been corrected.

Applicant hereby submits the following documents in support of this Petition to Correct the Filing Date and Request for Correction of Filing Receipt.

(A) Copies of the Utility Patent Application Transmittal and the Utility Application Fee Sheet dated October 2, 2000, listing the documents filed and indicating the Express Mail No. EL 501 634 175 US are attached as Exhibit A;

(B) A copy of the Express Mail Certification signed by Pennie & Edmonds' employee, Anthony Ali, indicating that the Express Mail No. of EL 501 634 175 US was stamped on the list of submissions to the USPTO from Pennie & Edmonds for the date October 2, 2000, is attached as Exhibit B (note that confidential information regarding documents filed in connection with other applications has been redacted);

(C) A copy of the "Post Office to Addressee Express Mail receipt," which is addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231," showing a "date-in" filed of October 2, 2000, and bearing a United States Post Office stamp verifying October 2, 2000 as the date of deposit with the United States Postal Service, and indicating Express Mail No. EL 501 634 175 US is attached as Exhibit C;

(D) A copy of the return receipt post card incorrectly stamped with the date October 3, 2000 as the filing date, with the error highlighted, is attached as Exhibit D;

(E) A copy of the Filing Receipt incorrectly identifying October 3, 2000 as the filing date for the application, with the error highlighted and the correct date is indicated in red ink, is attached as Exhibit E;

(F) A copy of the Petition to Correct Filing Date and Request for Correction of Filing Receipt dated December 29, 2000, is attached as Exhibit F; and

(G) A copy of the return receipt post card stamped with the date December 29, 2000 as the filing date of the petition, is attached as Exhibit G.

As demonstrated in attached Exhibits F and G, Applicant diligently sought to correct the filing date and official filing receipt, as required under 37 C.F.R. §1.10(c)(1).

Based on the documents provided herewith, Applicant petitions that the above-referenced application should be accorded a filing date of October 2, 2000.

Applicant hereby requests that a corrected Official Filing Receipt be issued and sent to the undersigned representative. Specifically, the following correction to the Official Filing Receipt is requested: Under Filing Date, please delete "10/03/2000" and insert therefor --10/02/2000--. In support of the above request is this Petition to Correct Filing Date with Exhibits A through G, and a marked-up copy of the instant Official Filing Receipt (Exhibit E) is enclosed with the corrected date indicated in red ink. It is requested that a corrected Official Filing Receipt be issued, and sent to the undersigned at the earliest possible time.

Since the error in the filing date and on the Filing Receipt appears to be on the part of USPTO, no fee additional should be charged applicants for this paper. However, should the Patent Office determine otherwise, as fees required therefor are hereby authorized to be charged to our Deposit Account No. 19 0036.

Prompt consideration of this Petition is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



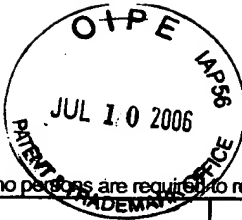
Elizabeth J. Haanes, Ph.D.

Attorney for Applicant

Registration No. 42,613

Date: July 10, 2006  
1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

Please type a plus (+) inside this box



PTO/SB/29 (12/9

Approved for use through 09/30/00. OMB 0651-00:

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 7969-087 Total Pages 146

First Named Inventor or Application Identifier

W. James Jackson

Express Mail Label No. EL 501 634 175 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
Submit an original, and a duplicate for fee processing)
2. ☒ Specification (preferred arrangement set forth below) [Total Pages 89]
  - Table of Contents
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description of the Invention (including drawings, if filed)
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 14]
4. ☒ Oath or Declaration [Total Sheets 2]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]
  - i. ☐ DELETION OF INVENTORS(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☒ Computer Readable Copy
  - b. ☒ Paper Copy (identical to computer copy)
  - c. ☒ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14. ☒ Small Entity ☐ Statement filed in prior application,  
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: filed .

## 18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

20583

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

NAME				
ADDRESS				
CITY	STATE	ZIP CODE		
COUNTRY	TELEPHONE	FAX		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



Express Mail No.: EL 501 634 175 US

**PENNIE & EDMONDS LLP**  
COUNSELLORS AT LAW  
1155 Avenue of the Americas  
New York, N.Y. 10036-2711  
(212) 790-9090

ATTORNEY DOCKET NO. 7969-087

Date: October 2, 2000

Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): W. James Jackson

Executed on: October 2, 2000

Title of Invention: CHLAMYDIA PROTEIN, GENE SEQUENCE AND USES THEREOF

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	104	-20	84	\$18.00 each	\$ 1,512.00
Independent	8	-3	5	\$80.00 each	\$ 400.00
Minimum Fee					\$ 690.00
Multiple Dependency Fee If Applicable (\$270.00)					\$ 270.00
Total					\$ 2,872.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern (a verified statement as to the applicant's status is attached)					- \$ 1,453.00
Total Filing Fee					\$ 1,419.00

- ☐ Priority of application no. filed on in is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application has been filed in application no. filed
- ☐ Amend the specification by inserting before the first line the following sentence: This is a continuation-in-part of application no. filed.

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Geraldine F. Baldwin 31,232  
Geraldine F. Baldwin (Reg. No.)

PENNIE & EDMONDS LLP

by Margaret B. Boisselier

Enclosure

This form is not for use with continuation, divisional, re-issue, design or plant patent applications.

Reg No.  
40,922.



DATE: 10/2/00

EL501634175US

THE EXPRESS MAIL NUMBER OF THE DAY IS: EL 501 634 175 US

THE PERSON TAKING EXPRESS MAIL  
TO THE POST OFFICE IS: ANTHONY ALI

**EXPRESS MAIL CERTIFICATION**

"Express Mail" label No. EL 501 634 175 US Date of Deposit  
10/2/00 I hereby certify that the below-listed papers or fees  
were inserted into a package that was addressed to the  
Assistant

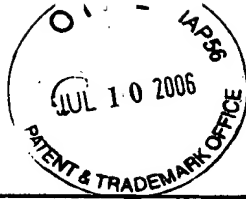
Commissioner For Patents, Washington, D.C. 20231 and was  
deposited by me with the United States Postal Service "Express  
Mail Post Office Addressee" service under 37 C.F.R. 1.10 on  
the date indicated above.




Signature

*Anthony Ali*

Date:

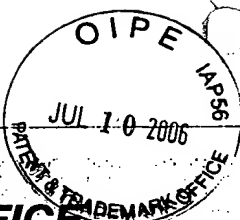
10/2/00



BALDWIN	7969-087 	UTILITY PATENT APPLN TRANSMITTAL, FEE SHEET WITH DUPLICATE, EXECUTED DECLARATION AND POA, RECORDATION FORM COVER SHEET TRANSMITTAL WITH ASSIGNMENT, SEQUENCE LISTING WITH COMPUTER READABLE, TRANSMITTAL OF VERIFIED STATEMENT WITH EXECUTED VERIFIED STATEMENT FOR ANTEX BIOLOGIES, INC., APPLN OF 89 PGS 72 CLAIMS 14 DRAWINGS		
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**POST OFFICE  
TO ADDRESSEE**



\*EL501634175US\*

**EL501634175US**

**SEE REVERSE SIDE FOR  
SERVICE GUARANTEE AND LIMITS  
ON INSURANCE COVERAGE**

**Customer Copy**  
Label 11-F July 1997

ORIGIN (POSTAL USE ONLY)		
PO ZIP <b>10011</b>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In <b>7/10/06</b>	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ <b>38.00</b>
Time <b>PM</b>	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight <b>11</b> lbs.	Int'l Alpha Country Code	COD Fee
Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Accounting Code	Insurance Fee
Total Postage & Fees		\$ <b>38.00</b>

CUSTOMER USE ONLY	
METHOD OF PAYMENT: Express Mail Corporate Acct. No. _____	
<input type="checkbox"/> <b>WAIVER OF SIGNATURE</b> (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.	
Federal Agency Acct. No. or Postal Service Acct. No. _____	<input type="checkbox"/> <b>NO DELIVERY</b> <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday

**FROM: (PLEASE PRINT)** PHONE ( ) \_\_\_\_\_

**PENNIE & EDMONOS**  
1155 AVENUE OF THE AMERICANS  
17TH FL  
NEW YORK

**NEW YORK NY 10011**  
**2006**  
**2006-036-2711**

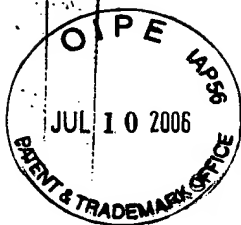
**TO: (PLEASE PRINT)** PHONE ( ) \_\_\_\_\_

**ASSISTANT COMMISSIONER**  
FOR PATENTS  
WASHINGTON

**NEW YORK NY 10011**  
**2006**  
**2006-036-2711**

**DC 20231-9999**

**PRESS HARD.** You are making 3 copies. **FOR PICKUP OR TRACKING CALL 1-800-222-1811** [www.usps.gov](http://www.usps.gov) **EMS**



Express Mail No. EL 501 634 175 US First Class Mail ( ) C  
Date Mailed October 2, 2000  
Serial No.: To Be Assigned Filed: Concurrently Herewith  
Applicant: W. James Jackson  
FOR: CHLAMYDIA PROTEIN, GENE SEQUENCE AND USES THEREOF

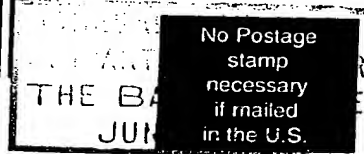
The stamp of the Patent Office hereon shall be taken as an acknowledgement on the date stamped receipt of the following:

- OK*
- (X) Utility Patent Application Transmittal
  - (X) Fee Transmittal (in duplicate)
  - (X) 89 pages of application (including table of contents, 72 claims & abstract)
  - (X) 14 drawing sheets for Figures 1-7
  - (X) Executed Declaration and Power of Attorney
  - (X) Transmittal of Sequence Listing (w/ sequence listing in Computer readable and paper copy forms)
  - (X) Recordation Form Cover Sheet (in duplicate) w/ executed Assignment to Antex Biologics, Inc.
  - (X) Transmittal of Verified Statement w/ executed Verified Statement for Antex Biologics, Inc.

OTHER: \_\_\_\_\_

File No. 7969-087-999

SENDER: GFB/MBB/NMoore

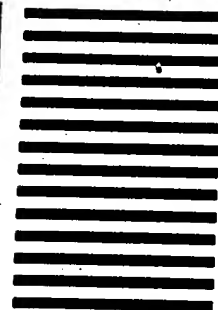


**BUSINESS REPLY MAIL**

FIRST CLASS MAIL PERMIT NO. 1825 NEW YORK, NY

POSTAGE WILL BE PAID BY ADDRESSEE

Pennie & Edmonds LLP  
1155 Avenue of the Americas  
New York, NY 10109-1441





## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/677,752 ✓	10/03/2000 ✓ 10/02/2000	1642 ✓	1455	7969-087 ✓	14	105	8

20583  
PENNIE AND EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 100362711

## FILING RECEIPT



\*OC000000005633064\*

Date Mailed: 12/21/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

W. James Jackson, Marriottsville, MD ; ✓

## Continuing Data as Claimed by Applicant

## Foreign Applications

If Required, Foreign Filing License Granted 12/20/2000

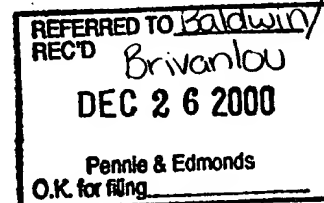
\*\* SMALL ENTITY \*\*

## Title

Chlamydia protein, gene sequence and the uses thereof ✓

## Preliminary Class

424



Data entry by : JACKSON, MINNIE

Team : OIPE

Date: 12/21/2000



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231





Express Mail No.: EL 501 636 239 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: James W. Jackson

Application No.: 09/677,762

Group Art Unit: 1642

Filed: October 2, 2000

Examiner:

For: CHLAMYDIA PROTEIN, GENE  
SEQUENCE AND USES THEREOF

Attorney Docket No.: 7969-087

**PETITION TO CORRECT FILING DATE AND  
REQUEST FOR CORRECTION OF FILING RECEIPT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant has received a date stamped return receipt postcard for documents filed in connection with filing the above-identified application and a Filing Receipt, also in connection with the filing of the above-identified application. This return receipt postcard and Filing Receipt all bear an incorrect filing date of October 3, 2000 for the above-identified application. In particular, on October 2, 2000, Applicant filed, via Express Mail Certificate No. EL 501 634 175 US, the following documents: the Application specification (87 pages, including abstract, plus Table of Contents and fourteen (14) sheets of seven (7) figures); executed Declaration and Power of Attorney; Transmittal of Sequence Listing (with sequence listing in computer readable and paper copy forms); Recordation Form Cover Sheet with executed Assignment; Transmittal of Verified Statement with executed Verified Statement for Antex Biologics, Inc.; Patent Application fee sheet; and Utility Patent Application Transmittal.

Applicants respectfully petition under 37 C.F.R. § 1.10(c) that the filing date be corrected from October 3, 2000, the indicated date of receipt of the above-listed papers by the United States Patent and Trademark Office ("USPTO"), to October 2, 2000, the date of deposit of the above-listed papers as "Express Mail" with the United States Postal Service pursuant to 37 C.F.R. § 1.10. Applicants also hereby request correction of the Filing Receipt, the original and copy of which are included herewith (copy attached as Exhibit E).

Applicants submit the following documents in support of this Petition to Correct the Filing Date and Request for Correction of Filing Receipt:

- (a) Copies of the Utility Patent Application Transmittal and the Utility Application Fee Sheet dated October 2, 2000, listing the documents filed and indicating the Express Mail No. EL 501 634 175 US, are attached as Exhibit A;
- (b) A copy of the Express Mail Certification signed by Pennie & Edmonds' employee, Anthony Ali, indicating that the Express Mail No. of EL 501 634 175 US was stamped on the list of submissions to the USPTO from Pennie & Edmonds for the date October 2, 2000, and indicating that the above-listed documents for docket no. 7969-087 were submitted on October 2, 2000, is attached as Exhibit B (note that confidential information regarding documents filed in connection with other applications has been redacted);
- (c) A copy of the "Post Office to Addressee Express Mail receipt", which is addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231," showing a "date-in" field of October 2, 2000, and bearing a United States Post Office stamp verifying October 2, 2000 as the date of deposit with the United States Postal Service, and indicating Express Mail No. EL 501 634 175 US is attached as Exhibit C;
- (d) A copy of the return receipt post card incorrectly stamped with the date October 3, 2000 as the filing date, with the error highlighted, is attached as Exhibit D;
- (e) A copy of the Filing Receipt incorrectly identifying October 3, 2000 as the filing date for the Application, with the error highlighted and the correct date is indicated in red ink, is attached as Exhibit E.

The papers listed above as filed in connection with the above-identified application, together with other unrelated papers from the office of attorneys for the Applicants, were placed in one "Express Mail" box, the entire contents of which are identified in the table attached as Exhibit B. In a header to this table, Anthony Ali certifies that the papers listed therein were deposited as "Express Mail Post Office to Addressee" with the United States Postal Service on October 2, 2000 with "Express Mail" label No. EL 501 634

175 US and addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231." The first entry on the second page of the table lists the papers submitted in connection with the above-identified application. The "+" sign in the next to last column signifies that Anthony Ali personally checked the "Express Mail" package for the presence of these papers and for presence of the correct "Express Mail" number on each paper. Additionally, both the transmittal and fee sheet in Exhibit A and the return receipt post card in Exhibit D bear the same Express Mail No. EL 501 634 175 US as the Post Office to Addressee Express Mail receipt in Exhibit C. Receipt of the above-identified papers in the USPTO was acknowledged by return of the postcard receipt, provided as Exhibit D.

Accordingly, Applicants respectfully submit that they have shown a discrepancy between the filing date accorded by the USPTO to the above-identified papers and the date of deposit as shown by the "date-in" on the "Express Mail" mailing label bearing the same Express Mail number as on the papers or fees that constitute the correspondence and since all the requirements of 37 C.F.R. §§ 1.10(a) and (c) have been complied with, the above-identified papers should be granted a filing date of October 2, 2000, the date of deposit of the above-identified papers as "Express Mail" with the United States Postal Service.

With respect to the correction of the Filing Receipt, as mentioned above, the original and one copy of the Official Filing Receipt for the above-captioned application are included herewith (the copy being attached as Exhibit E). Please note the error in the filing date highlighted on the copy. For the reasons provided above, the above-captioned application should be accorded a filing date of October 2, 2000, not October 3, 2000, as indicated on the Filing Receipt. Accordingly, Applicants request a corrected Filing Receipt that reflects the correct filing date of October 2, 2000.



Since the error in the filing date and on the Filing Receipt appears to be on the part of the Patent and Trademark Office, no fee additional should be charged Applicants for this paper. However, should the Patent Office determine otherwise, please charge the necessary fee to Pennie & Edmonds LLP deposit account no. 16-1150. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date December 29, 2000

Geraldine F. Baldwin 31,332  
Geraldine F. Baldwin (Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosures

By Margaret B. Fox-Cauler  
Reg No. 40,922

Express Mail No. EL 501 636 239 US First Class Mail ( )  
Date Mailed December 29, 2000  
Serial No.: 09/677,762 Filed: October 2, 2000  
Applicant: W. James Jackson  
FOR: CHLAMYDIA PROTEIN, GENE SEQUENCE AND USES THEREOF

The stamp of the Patent Office hereon shall be taken as an acknowledgement on the date stamped receipt of the following:

- (X) Petition to Correct Filing Date and Request for Correction of Filing Receipt
- (X) Exhibit A (copies of Utility Patent Application Transmittal and Utility Application Fee Sheet)
- (X) Exhibit B (copy of Express Mail Certification signed by Anthony Ali)
- (X) Exhibit C (copy of Post Office to Addressee Express Mail Receipt dated October 2, 2000)
- (X) Exhibit D (copy of return receipt postcard incorrectly stamped October 3, 2000)
- (X) Exhibit E (original filing receipt and copy of Filing Receipt with correction of filing date)

OTHER: \_\_\_\_\_

File No. 7969-087-999

SENDER: GFB/MBB/NM

